

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NEWMONT USA LIMITED and DAWN
MINING CO.,

Plaintiff,

vs.

AMERICAN HOME ASSURANCE CO., et
al.,

Defendants.

NO. CV-09-033-JLQ

**ORDER OF DISMISSAL OF
CLAIMS AGAINST DEFENDANTS
THE CONTINENTAL
INSURANCE COMPANY AND
CONTINENTAL CASUALTY
COMPANY**

BEFORE THE COURT is the Stipulated Motion to Dismiss of Plaintiffs and Defendants The Continental Insurance Company, as successor to certain policies issued by Harbor Insurance Company, and Continental Casualty Company. Ct. Rec. 359. Pursuant to the Stipulation of these parties, the First Amended Complaint and the claims therein (Ct. Rec. 241) against Defendants The Continental Insurance Company and Continental Casualty Company are **DISMISSED** with prejudice and without costs or attorneys fees to any party.

Defendants The Continental Insurance Company and Continental Casualty Company remain parties to this litigation as they are cross-defendants.

IT IS SO ORDERED. The Clerk of this court shall enter this Order and forward copies to counsel for all parties.

DATED this 14th day of June, 2010.

s/ Justin L. Ouackenbush
JUSTIN L. QUACKENBUSH
SENIOR UNITED STATES DISTRICT JUDGE